

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.  
19-00357-01-CR-W-BP

DYQWON D. BROWN,

Defendant.

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**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

**PENDING CHARGE:** Felon in possession of ammunition, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2)

**TRIAL COUNSEL:**

Government: Ashleigh Ragner & Sarah Rasalam

Case Agent: KCPD Detective Nicholas Sola or ATF Special Agent John Hegarty

Defense: S. Chase Higinbotham, Jr.

**OUTSTANDING MOTIONS:** The parties request a pretrial conference with the trial judge to litigate the following motions in advance of trial. Both parties believe that resolution of these issues will affect ultimate resolution of this case and, if tried, the length of trial.

Government's Notice of Intent to Offer Evidence Pursuant to Rule 404(b) (Doc. 62)

Government's Notice of Intent to Offer Evidence of Other Crimes, Wrongs or Bad Acts That Is Inextricably Intertwined With The Charged Offense, Or In The Alternative, Under Federal Rule of Evidence 404(b) (Doc. 63)

Government's Notice of Intent to Offer Facebook Evidence Pursuant to Rule 404(b) (Doc. 64)

Defendant's Motion Opposing Government's Proposed Relevant Conduct Evidence and Rule 404(b) Evidence (Doc. 74)

**ANTICIPATED MOTIONS:** The Government may file a motion in limine regarding Missouri's Second Amendment Preservation Act.

**TRIAL WITNESSES:**

Government: 5 with stipulations; 5-6 without stipulations  
Defense: 1 additional witness, including Defendant who may testify

**TRIAL EXHIBITS:**

Government: 50 exhibits  
Defense: No additional exhibits

**DEFENSES:**

☒ defense of general denial  
☐ defenses of general denial and \_\_\_\_\_

**POSSIBLE DISPOSITION:**

☒ Definitely for trial; plea agreement provided ☐ Possibly for trial  
☐ Motion to continue to be filed ☐ Likely a plea will be worked out

**TRIAL TIME: 3 days\***

Government's case including jury selection: 2 ½ days  
Defense case: ½ day

\*Depending on how the above-referenced motions are ruled (Docs. 62, 63, 64, 74), trial could be as short as 1 ½ days.

**STIPULATIONS:**

☐ not likely  
☐ not appropriate  
☒ likely as to:  
☐ chain of custody  
☐ chemist's reports  
☒ prior felony conviction  
☒ interstate nexus of ammunition  
☐ other: \_\_\_\_\_

**UNUSUAL QUESTIONS OF LAW:** None

**FILING DEADLINES:**

**Witness and Exhibit Lists:**

Government: September 3, 2021

Defense: September 3, 2021

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions:** September 3, 2021

**Jury instructions must comply with Local Rule 51.1**

**Motions in Limine:** September 3, 2021

**TRIAL SETTING:** Criminal jury trial docket commencing September 20, 2021

**Please note:** *Defense counsel requests the second week of the docket due to settings in other courts. If the case is set on the second week, Government counsel is available September 27th – 29th.*

**OTHER:**

- ( ) A \_\_\_\_\_-speaking interpreter is required.  
( x ) A hearing device may be needed for a testifying witness.

**IT IS SO ORDERED.**

/s/ Jill A. Morris  
JILL A. MORRIS  
United States Magistrate Judge